

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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APRIL BALDI,

Plaintiff,

-against-

MAGGIO DATA FORMS PRINTING LTD., JOHN  
CURTIN, and JOSEPH CAPUANO,

Defendants.  
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**Case No.:** 1:19-cv-7111 (KAM) (ST)

**DECLARATION OF EMANUEL  
KATAEV, ESQ. IN SUPPORT OF  
DEFENDANTS' MOTION FOR  
CHANGE OF VENUE**

**EMANUEL KATAEV, ESQ.**, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am admitted to practice before this Court and I am an associate of Milman Labuda Law Group PLLC, attorneys for the Defendants in this action.

2. I respectfully submit this Declaration in support of the Defendants' Motion for Change of Venue ("Motion"), and to supply this Court with exhibits relevant to its determination of the Motion.

3. I currently reside in Great Neck, New York on Long Island and my office is located in Lake Success, New York on Long Island.

4. In or around August 2017, I had the privilege and honor of conducting a trial before the Hon. Jack B. Weinstein, U.S.D.J. at the Brooklyn courthouse of this Court.

5. The trial commenced, with jury selection, on August 7, 2017 and ended on August 29, 2017, when the jury completed deliberations and rendered a verdict.

6. During the course of the trial, I resided in Garden City, New York on Long Island, and traveled approximately twenty-five (25) miles to the Brooklyn courthouse on a daily basis.

7. It would typically take me at least an hour to travel to the Brooklyn courthouse from Garden City.

8. Factoring in the return trip to Long Island, my travel time for the round trip typically totaled over three (3) hours based on traffic conditions throughout the course of the trial.

9. It was exhausting and inconvenient to have to travel to the Brooklyn courthouse due to the rigors of trial work.

10. Attached hereto as Exhibit A is a true and correct copy of Plaintiffs' complaint dated December 19, 2019, docket entry 1 in this case.

11. Attached hereto as Exhibit B is a true and correct copy of Defendants' letter motion to reassign this case, dated December 24, 2019, docket entry 7 in this case.

12. Attached hereto as Exhibit C is a true and correct copy of the Court's Text Only Order, dated December 26, 2019.

13. Attached hereto as Exhibit D is a true and correct copy of Plaintiff's letter response to Defendants' letter motion, dated December 27, 2019, docket entry 8 in this case.

14. Attached hereto as Exhibit E is a true and correct copy of the Court's Text Only Order, dated December 27, 2019, denying Defendants' letter motion to reassign this case.

15. Attached hereto as Exhibit F is a true and correct copy of the Court's Text Only Order, dated January 22, 2020, denying Defendants' motion for reconsideration.

16. Attached hereto as Exhibit G is a true and correct copies of Google Maps directions from Garden City, Lake Grove, Nesconset, Mastic, and Hauppauge, New York, where the parties work and/or reside, to the Brooklyn courthouse, in which the approximate travel time and mileage is indicated.

17. Attached hereto as Exhibit H are true and correct copies of declarations from seven (7) nonparty employee witnesses in support of Motion.

18. During the promotion conference concerning this anticipated motion on March 4, 2020, this Court indicated that it is likely to deny the instant motion on the grounds that transferring venue to the Long Island courthouse would increase the workload of judges in the Long Island courthouse.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 20, 2020

\_\_\_\_\_/s  
**EMANUEL KATAEV**